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Paper No. 38

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

GEORGE UHL et al.,

Junior Parties  
(Patent Applications 08/188,275  
and 08/430,286),

v.

LEI YU,

Senior Party  
(Patent Application 08/120,601).

Consolidated Interference Nos. 104,230 and 104,231

Before SCHAFER, LEE and TORCZON, Administrative Patent Judges.  
TORCZON, Administrative Patent Judges.

**JUDGMENT**

(PURSUANT TO 37 CFR § 1.640)

Upon consideration of the record of these consolidated  
interferences, particularly the decision granting Yu's  
preliminary motion for no interference in fact ('230 Paper  
No. 36; '231 Paper No. 29), it is

ORDERED that Interference No. 104,230 be terminated as provided in 37 CFR § 1.661 because there is no interference in fact;

FURTHER ORDERED that Interference No. 104,231 be terminated as provided in 37 CFR § 1.661 because there is no interference in fact;

FURTHER ORDERED that there is no judgment on priority for the sole count of Interference No. 104,230 because there is no interference in fact;

FURTHER ORDERED that there is no judgment on priority for the sole count of Interference No. 104,231 because there is no interference in fact;

FURTHER ORDERED that, based on the record before us, Yu is entitled to a patent containing claims 1, 2, 4, 8, 13-15, 19-22, 25, 28, 31, and 32 of his involved 08/120,601 patent application;

FURTHER ORDERED that, based on the record before us, Uhl is entitled to a patent containing claims 2-4 and 6-8 of their involved 08/430,286 patent application;

FURTHER ORDERED that, based on the record before us, Uhl is entitled to a patent containing claims 1-3, 7, 10, 11, 13, 22-27, and 29-34 of their involved 08/188,275 patent application;

FURTHER ORDERED that the preliminary statements of the parties be returned unopened; and

FURTHER ORDERED that the parties review their obligations under 35 U.S.C. § 135(c) to file all agreements or understandings related to the termination of these interferences before the termination of these interferences as defined in 37 CFR § 1.661.

RICHARD E. SCHAFER  
Administrative Patent  
Judge

JAMESON LEE  
Administrative Patent  
Judge

RICHARD TORCZON  
Administrative Patent  
Judge

BOARD OF PATENT  
APPEALS  
AND  
INTERFERENCES

Interference Nos. 104,230, 104,231  
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